



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE
STATEMENT

Docket Number
40128/00302

Application No.
10/726,750

Filing Date
December 2, 2003

Inventor(s)
Sinderby et al.

Invention Title
Control of Inter-Electrode Resistivity to Improve Quality of Measured Electrical Biological Signals

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

SIR:

1. In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for Applicants hereby bring the following seventeen (17) references to the attention of the Examiner. The references are listed on the attached modified PTO Form No. 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.
2. A copy of each patent, publication or other information listed on the modified PTO form 1449 is enclosed.
3. By submitting this Information Disclosure Statement, Applicants make no representation that a search has been performed, of the extent of any search performed, or that more

relevant information does not exist.

4. By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b)
5. By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Dated: June 4, 2004

By: 

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

FORM PTO-1449

ATTY. DOCKET NO.
40128/00302

SERIAL NO.
10/726,750

APPLICANT(S)
Sinderby et al.

FILING DATE
December 2, 2003

GROUP
3739

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS	SUBCLASS	FILING DATE*
	6,584,347	June 24, 2003	Sinderby			
	5,671,752	September 30, 1997	Sinderby et al.			
	5,820,560	October 13, 1998	Sinderby et al.			
	6,233,472	May 15, 2001	Bennet et al.			
	5,772,591	June 30, 1998	Cram			
	5,341,806	August 30, 1994	Gadsby et al.			
	5,327,888	July 12, 1994	Imran			
	6,259,938	July 10, 2001	Zarychta et al.			
	5,125,406	June 30, 1992	Goldstone et al.			
	5,024,228	June 18, 1991	Goldstone et al.			
	6,434,421	August 13, 2002	Taheri			
	6,438,400	August 20, 2002	Beard et al.			

*cited in International Search Report

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE (M/D/Y)	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS

EXAMINER INITIAL		AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.
		Daubenspeck et al., "Diaphragmatic electromyography using a multiple electrode array," J Appl Physiol., Oct. 1989, No. 67(4), pp.1525-34.

EXAMINER INITIAL		AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.
		Luo et al., "Diaphragm EMG measured by cervical magnetic and electrical phrenic nerve stimulation," J Appl Physiol, Dec. 1998, NO. 85(6), pp. 2089-99.
		Viale et al., "Time course evolution of ventilatory responses to inspiratory unloading in patient," Am J Respir Crit Care Med., No. 157, pp. 428-434, 1998.
		Becket al., "Effects of muscle-to-electrode distance on the human diaphragm electromyogram," J Appl Physiol, 1995, No. 79, pp. 975-985.
		Becket et. al., "Influence of bipolar esophageal electrode positioning on measurements of human crural diaphragm," EMG. J Appl Physiol , No. 81, pp. 1434-1449.

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	